

## 48A C.J.S. Judges § 97

Corpus Juris Secundum | August 2023 Update

### Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D.; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

### IV. Standards of Conduct; Restrictions and Prohibitions

#### B. Nature of Conduct Proscribed or Prohibited

##### 2. Political Activity

##### § 97. Generally

[Topic Summary](#) | [References](#) | [Correlation Table](#)

#### West's Key Number Digest

West's Key Number Digest, [Judges](#)  11(1), 11(2), 21

**Generally, political activity should be avoided by a judge.**

A judge's involvement in political activity diminishes his or her ability to maintain independence on the bench.<sup>1</sup> Consequently, political activity should be avoided by a judge.<sup>2</sup> Judicial independence and neutrality require judges to limit or abstain from involvement in political activities commonly enjoyed by others in the community.<sup>3</sup>

In some jurisdictions, canons of judicial ethics prohibit a judge from engaging in political activity,<sup>4</sup> and the judge has a duty to avoid the perception that he or she is participating in political activity.<sup>5</sup>

Beyond voting, judges must generally eschew most political connections, and the exceptions are political activities geared toward improving the law, the legal system, or the administration of justice.<sup>6</sup>

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## Footnotes

- 1 Fla.—[In re Glickstein](#), 620 So. 2d 1000 (Fla. 1993).
- 2 U.S.—[Wersal v. Sexton](#), 674 F.3d 1010 (8th Cir. 2012), cert. denied, 133 S. Ct. 209, 184 L. Ed. 2d 40 (2012).
- Fla.—[In re Turner](#), 573 So. 2d 1 (Fla. 1990).
- Ind.—[Matter of Katic](#), 549 N.E.2d 1039 (Ind. 1990).
- 3 Iowa—[In re Inquiry Concerning McCormick](#), 639 N.W.2d 12 (Iowa 2002).
- 4 N.J.—[In re Hayden](#), 41 N.J. 443, 197 A.2d 353 (1964).
- 5 Okla.—[Judicial Ethics Opinion 2000-7](#), 2000 OK JUD ETH 7, 73 P.3d 262 (Okla. Jud. Eth. 2000).
- 6 Iowa—[In re Inquiry Concerning McCormick](#), 639 N.W.2d 12 (Iowa 2002).

As to permissible political activity in election campaign of judge, see § 98.

### **Partisan political activities**

Wash.—[Matter of Staples](#), 105 Wash. 2d 905, 719 P.2d 558 (1986).